Oct 27 03 07:54p

E. Ojo-Amaize, Ph.D.

626-914-1575

Atty. Dkt. No.

(M#)

p. 3

FOR UTILITY/DESIGN CIP/PCT NATIONAL/PLANT ORIGINAL/SUBSTITUTE/SUPPLEMENTAL DECLARATIONS

RULE 63 (37 C.F.R. 1.63) DECLARATION AND POWER OF ATTORNEY FOR PATENT APPLICATION IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

DW FORM

As a below named inventor, I hereby declare that my residence, post office address and citizenship are as stated below next to my name, and I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the INVENTION ENTITLED HYPOESTOXIDES, DERIVATIVES AND AGONISTS THEREOF FOR USE IN THE TREATMENT AND PROPHYLAXIS OF HYPERLIPIDEMIA the specification of which (CHECK applicable BOX(ES)) A. M is attached hereto. X C. Was filed as PCT International Application No. PCT/ / DU.S. or PCT application) was amended as BOX(ES) **→** 8 and if applicable to U.S. or PCT application) was amended the heavy interest of the above. I community to the claims, as amended by any amendment referred to a hereby state that I have reviewed and understand the contents of the above. I community as defined in 97 C.F.R. 1.66. Except as noted below, I hereby claim above. I admonwhalpe the duty to disclose all information known to me to be material to patentiability as defined in 97 C.F.R. 1.66. Except as noted below, I hereby claim foreign priority benefits under 35 U.S.C. 119(a)-(d) or 365(b) of any fixetign application (s) for patent or inventor's certificate, or 365(c) of any PCT international Application which designated at least one other country than the United States, fisted below and have also identified below any foreign application for patent or inventor's certificate, or PCT international Application, filed by me or my assigned disclosing the subject matter claimed in this application and having a filing date (1) before that of the application on which priority is claimed, or (2) if no priority claimed, before the lifting date of this application: Date first Laid-**Date Patented** PRIOR FOREIGN APPLICATION(S) Priority NOT Claimed or Granted open or Published Day/MONTH/Year Filed Country Number If more prior fermion applications. X box at bottom and continue on attached page.

Except as noted below, I hereby claim demestic priority benefit under 35 U.S.C. 119(e) or 120 and/or 365(c) of the indicated United States applications is stad below and claimed in this PCT international applications is taid above or below and, if this is a continuation-in-part (CIP) application, insofar as the subject matter disclosed and claimed in this application is in addition to that disclosed in such prior applications, I addressed the duty to disclose all information known to me to be material to patentiability as application is in addition to that disclosed in such prior applications, I addressed the such prior application and the national or PCT international filing date of this application; defined in 97 C.F.R. 1.58 which became available between the fixing date of each such prior application and the national or PCT international filing date of this application; Priority NOT Claimed PRIOR U.S. PROVISIONAL NONPROVISIONAL AND/OR PCT APPLICATION(S)
Application No. (series code/serial no.)

Day/MONTH/Year Filed pending, abandoned, patented pending 10/28/2002 60/421,533 I hereby declare that all statements made harein of my own knowledge are true and that all statements made on information and belief are ballayed to be true; and further that these statements were made with the knowledge that willfull false statements and the like so made are punishable by line or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such wilful false statements may propardize the validity of the application or any patent issued thereon. And I hereby appoint Pilisbury Winthrop LLP, Intelectual Property Group, P.O. 8cx 10500, McLean, VA 22102, belephone number (703) 805-2000 (to whom all communications are to be directed), and the below-named persons (of the same address) individually and calectively my attempts to presente this application and to communications are to be directed), and the below-named persons (of the same address) individually and calectively my attempts to presente this application and to transact all business in the Petent and Trademark Office connected wherealth and with the resulting patient, and I hereby authorize them to diable names/numbers below transact all business in the Petent and Trademark Office connected wherealth and with the resulting patient, and I hereby authorize them to diable names/numbers below of persons no longer with their firm and to set and rely on instructions from and communicate directly with the person/assigned/attorney/Emrl organization whorhalch first series to them and by whom/which I hereby declare that I have consented after full disclosure to be represented unless furtil I instruct the above Firm and/or a below attempty in writing to the contract.

And a 1920 Section 1920 Se David A. Jakopin Jeffrey W. Gulse Guillermo Basza 32995 Vicki Norten George M. Strilla 18221 48468 40882 Mark R. Kendrick Robert J. Walters 34613 Richard Steinberg 26588 48718 Nicole S. Bradley 40944 Thomas Cawley, Jr. 27248 28429 35056 Richard H. Zaitlen 49059 Kerry T. Hartman Adam R. Hess 41818 Evan Finkel Jeffrey D. Karceski 35914 Jonathan E. Jobe, Jr. Caroline L. Keller 50491 41835 Sleven Moore 35959 28458 Glenn J. Perry 53517 Jennifer J. Riel 41844 Paul L Sharer Jack S. Banufika Christine H. McCarthy 36004 28872 Dale S. Lazar 42459 Herry J. Daley Bryan P. Coilins 37087 30158 Suzanne L. Blags 43580 William P. Atkins 38821 30793 Mark G. Paulson 44482 John P. Darling Brian J. Beatus 38825 31204 Roger R. Wise 44869 Thomas P. Hillard 40330 Seth D. Levy John R. Wetherel 31678 47520 Keyvan Davoudian Mark J. Danielson 40580 32243 David H. Jaffer Date (1) INVENTOR'S BIGNATURE: ctober 27,2003 Nchekwybe Emeka Family Name Middle Initial First U.S. CA Morgen Hill Residence Country of Cilizenship State/Foreign Country City 5390 Little Uvas Road, Morgan Hill, CA Mailing Address 95037 (include Zip Code) "X" box X FOR ADDITIONAL INVENTORS, and proceed on the attached page to list each additional inventor. See additional foreign priorities on attached page (incorporated herein by reference). P069081-0306235

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Oct 28 03 06:04a E. Ojo-Amaize, Ph.D.

DECLARATION AND POWER OF ATTORNEY (continued)

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(3) INVENTOR	'S SIGNATURE:		Ta	Date:	
	Howard		В.	Cottam	
		First	Middle Initial		Family Name
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DECLARATION AND POWER OF ATTORNEY (continued) ADDITIONAL INVENTORS:

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Residence City State/Fareign Country Country of Chizenship Malling Address	(8) INVENTOR'S	SIGNATURE:		valu.
Residence City State/Fareign Country Country of Chizenship Malling Address				Washing the Manager
Residence City State/Foreign Country of Clibership Mailing Address		First	Middle titilal	Family Name
Country of Cibership Malling Address	Residence			
Malling Address		Chy	State/Fereign Country	Country of Chizenship
	Maillog Address			
	(include Zip Coo	9)		